

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**SB 444 - HB 534**

March 1, 2023

**SUMMARY OF BILL:** Authorizes certain students who are not proficient in English language arts (ELA) to be promoted to the fifth grade if the student's parent or guardian mutually agrees with the local education agency (LEA) or public charter school in which the student is enrolled that the student has shown adequate growth in ELA based on the student's grades or performance on assessments administered to the student in the fourth grade.

**FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- The current third grade retention law takes effect at the end of the 2022-23 school year and requires a student in the third grade to not be promoted to the next grade level unless the student is determined to be proficient in ELA based on the student's achieving a performance level rating of "on track" or "mastered" on the ELA portion of the student's most recent Tennessee Comprehensive Assessment Program (TCAP) test.
- Current law requires a student to show adequate growth on the fourth grade ELA portion of the TCAP test, as determined by the Department of Education (DOE), before being promoted to the fifth grade.
- The proposed legislation provides an LEA and public charter school with discretion on whether the student has shown adequate growth in ELA and if the student should be promoted to the fifth grade.
- DOE will be required to update retention guidance documents and communicate with districts on the changes to retention law.
- LEAs, public charter schools, and DOE will be able to comply with the proposed legislation within existing resources. Any fiscal impact is estimated to be not significant.

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**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid.

Krista Lee Carsner, Executive Director

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